United Nations A/57/170

General Assembly

Distr.: General
2 July 2002

Original: English

Fifty-seventh session
Item 104 of the preliminary list*
Advancement of women

Trafficking in women and girls

Report of the Secretary-General

Summary

Pursuant to General Assembly resolution 55/67 of 4 December 2000, the present report is based, inter alia, on replies to a request of the Secretary-General for information circulated to Member States, organizations of the United Nations system and other organizations on measures to combat trafficking in women and girls. The report makes recommendations for future action.

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* A/57/50/Rev.1.

02-46597 (E) 130802

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 55/67 of 4 December 2000, on traffic in women and girls, in which the Assembly requested the Secretary-General to submit a report on the implementation of the resolution to the General Assembly at its fifty-seventh session. It is based, inter alia, on information contained in replies to the request of the Secretary-General for information on the issue circulated to Member States,[1] organizations of the United Nations system,[2] and other organizations.[3] Measures to combat trafficking in women and girls are also described in the note of the Secretary-General on "Smuggling and trafficking in persons and protection of their human rights" submitted to the fifty-third session of the Subcommission on the Promotion and Protection of Human Rights (E/CN.4/Sub.2/2001/26) and his report on trafficking in women and girls presented to the Commission on Human Rights at its fifty-eighth session in 2002 (E/CN.4/2002/80).

2. Since the adoption of resolution 55/67 by the General Assembly, and as more information on its scope and seriousness has become available, trafficking in women and girls has continued to be the focus of attention in different forums. Major achievements include the wide acceptance of the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Sea and Air which were adopted by the General Assembly by its resolution 55/25 of 15 November 2000 and opened for signature, accession and ratification on 12 December 2000. As at 15 June 2002, 141 States had signed and 14 had ratified the Convention; 107 had signed and eight ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and 101 States had signed and eight ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air. The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted by the General Assembly by its resolution 54/263 of 25 May 2000, which obliges States parties to take necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detention, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism, entered into force on 18 January 2002. As at 15 June 2002, 32 States were party to this instrument and a further 99 had signed it. The Committee on the Rights of the Child adopted guidelines[4] for initial reports to be submitted by States parties under article 12 of the Optional Protocol at its twenty-ninth session on 1 February 2002.

3. During the reporting period, trafficking continued to be the subject of consultations at the international, regional, and national levels. Non-governmental organizations (NGOs) and civil society groups have continued to address the issue, including through advocacy and educational campaigns, as well as the provision of assistance and support for victims of trafficking. Trafficking in women and girls was addressed in a number of reports, including the United Nations Population Fund publication, *The State of World Population 2001*, which discussed, inter alia, the increased vulnerability of women to economic and social exploitation, including trafficking, as they migrate from rural to urban areas and the regional problem in Eastern and Central Europe resulting from the combination of drugs, HIV/AIDS and trafficking in women.

4. The attention that the issue has attracted has led to the introduction of concrete measures at the national, regional and international levels to address what appears to be a serious, widespread and growing problem.

II. Measures taken at the national level

5. Information received from Member States described legislative, protective and educational activities introduced to combat trafficking in women and girls. Multilateral and bilateral collaborative arrangements have also been entered into in order to confront this disturbing activity.

6. The Government of Australia reported that it continued to work closely with other countries in this context. Australia participated in the International Migration Symposium in Bangkok in 1999 which adopted the "Bangkok Declaration on Irregular Migration", calling on participating countries to work cooperatively on initiatives to combat irregular migration and people smuggling. Relevant Australian

legislation included the Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999, which dealt specifically with crimes often associated with trafficking in persons and provided heavy penalties for those found guilty of such crimes.

7. Belarus reported that its Criminal Code contains article 181 on traffic in persons, which establishes criminal liability for traffic in persons, as well as article 182 on abduction of a person and article 187 on recruitment of persons for exploitation.

8. Canada reported that no specific provisions in its Criminal Code addressed trafficking in persons, but that a number of its provisions were applicable to instances of trafficking in women and girls. These included provisions on abduction, kidnapping, extortion, sexual assault, uttering threats, unlawful confinement and provisions related to sex exploitation. A specific offence on human trafficking was included in the Canadian Immigration and Refugee Protection Act, scheduled to come into force on 28 June 2002, which mandates severe penalties for trafficking, including fines of up to 1 million Canadian dollars and harsh sentences, including life imprisonment. In 1993, the Canadian Immigration and Refugee Board introduced guidelines on gender-related persecution that may be relevant to cases of trafficking. The Government had also established an Interdepartmental Working Group, coordinated by a Permanent Secretariat, to assist in the coordination of national efforts to combat trafficking in persons, in particular women and girls. Status of Women Canada had also been actively involved in activities to combat human trafficking, including through supporting three independent policy research projects on trafficking in women in Eastern Europe, the Philippines and the Russian Federation. The Canadian International Development Agency had provided funding for programmes in the Balkans and South-East Asia to combat trafficking in women and girls and to put an end to the commercial sexual exploitation of children.

9. In February 2002, the Government of Denmark presented a bill to Parliament on trafficking in human beings. Upon adoption by the Danish Parliament, the Government will be in a position to ratify the Convention against Transnational Organized Crime and its additional protocols, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

10. Egypt reported that its legislation had long sought to proscribe trafficking in women and girls. Act No.10 of 1961 on the Suppression of Immorality, inter alia, punished anyone who exploited women or girl prostitutes by assisting them to enter or leave Egyptian territory; the Act provided for harsher penalties when the victim was below 16 years of age or when the offender was a superior, guardian or supervisor of the victim.

11. The Government of Greece reported that it had adopted a series of measures to address trafficking of women and girls for the purposes of sexual exploitation, including Presidential Decree 310/98, which created a Police Unit of Border Guards whose tasks included preventing illegal entry of aliens, and also apprehending persons who facilitated their illegal entry. Other measures included educating and increasing awareness of police personnel, in particular on sexual exploitation of women and girls.

12. As a transit country, the Government of Iceland had experienced an increase in the commercial sexual exploitation of women, with research conducted in Reykjavik indicating that most women who worked in striptease clubs in Iceland had been trafficked into the country. The Government had launched a campaign to increase public awareness of the issue.

13. Little concrete information existed about trafficking in women and girls and sexual exploitation in Jordan, but the Government had created a specialized administrative unit called the Family Protection Department in the Public Security Directorate to deal with issues relating to women and children. Prohibitions against sexual exploitation are included in the Criminal Code of Jordan, which addressed crimes of morality and public manners.

14. The Government of Luxembourg reported that a law of 31 May 1999 reinforced existing measures against trafficking in persons and sexual exploitation, including through measures against exploitation of minors for the purpose of prostitution or production of pornographic material; abuse of individuals who are particularly vulnerable by virtue of their illegal or uncertain administrative status, pregnancy, infirmity, physical or mental deficiency; and all forms of sexual tourism. In addition, the "drop-in" support service for prostitutes, financed by the Ministry for the Advancement of Women, had run a multilingual awareness-raising media campaign on the issue and the

Ministry had also co-financed a research project conducted by NGOs from Luxembourg, Germany and France on the problem of trafficking.

15. In Malaysia a number of laws relevant to the issue of trafficking in persons, especially women and children, have been adopted, including: provisions in the Penal Code; the Child Act of 2001; the Kidnapping Act of 1961; the Immigration Act of 1959/1963; and the Women and Girls Protection Act of 1973.

16. Malta reported that legislation relating to trafficking in persons, namely the White Slave Traffic Suppression Ordinance, had existed since 1930. That law was amended in 1994 to define activities related to trafficking in women and girls as criminal offences. Transportation outside Malta of any person of any age for sexual purposes, detention of persons for habitual prostitution and living off the prostitution of other persons were criminal offences within the Ordinance, which also elaborated terms of imprisonment applicable to these offences. Article 197 of the Criminal Code also made reference to the criminal nature of trafficking in women and girls and identified punishments for such activities.

17. The Government of Mauritius, which had enacted a Child Protection Act in 1994 to ensure the protection of children from all forms of abuse and exploitation, had also amended 24 laws pertaining to women and children in order to provide severe penalties for all cases of exploitation and abuse of women and children.

18. The Government of Mexico reported on bilateral arrangements with the United States of America which addressed common problems, including trafficking. The Border Security Action Plan included a special section which served as the basis of cooperation between the two Governments in processing and exchanging information on organized gangs engaged in trafficking in persons.

19. In 2002, the Minister of Justice in the Netherlands had appointed a national rapporteur on trafficking in people to assess the extent of trafficking in human beings, in particular women and girls. A national public prosecutor had been appointed with responsibility for combating the smuggling of illegal immigrants and specialized police units set up to deal with the problem of trafficking in women and girls. A number of measures had also been developed aimed at prevention of the disappearance of girls from centres for asylum-seekers.

20. The Government of the Philippines was in the process of drafting a law against trafficking in women and children and advocating its passage. It had also established women's and children's desks at its police stations.

21. The Penal Code of Portugal, which prohibits trafficking in persons, stipulates, in article 169, that inducement of another person to practice prostitution or other sexual acts in another country through violence, serious threats, deceit or taking advantage of a situation of special vulnerability is a criminal offence. In instances where victims were under the age of 14 and offences involved the use of violence, punishments could be aggravated. Trafficking of minors was specifically prohibited under the same article. Law 93/99 of 14 July 1999 provided protection to victims of crime. Decree Law 4/2001 of January 2001 allowed victims of trafficking to obtain residence status if they cooperated with the judicial system against traffickers.

22. In order to combat trafficking in women and children, provisions in the Singapore Women's Charter, the Children and Young Persons Act and the Penal Code provided for the determination of tenancy of places of assignation or brothels and for the demolition of structures used to run a place of assignation or a brothel. The Children and Young Person's Act contained provisions making sexual exploitation of children or young persons and trafficking in children criminal offences. A number of provisions in the Penal Code address kidnapping or abducting a woman to compel her to enter into marriage, illicit intercourse or prostitution; kidnapping or abducting a person in order to subject the person to grievous hurt or slavery; buying or disposing of any persons as a slave; and habitual dealing in slaves.

23. Spain has adopted a number of measures to combat trafficking, including the Third Plan of Action for Equal Opportunities for Women and Men (1997-2000), which included the promotion of specific measures to eliminate traffic in women and girls and sexual exploitation. It had introduced temporary residence permits for victims of trafficking and sexual exploitation who were willing to testify in judicial proceedings under the new Status of Aliens Act. Free legal assistance in judicial proceedings and medical social and police assistance to victims of trafficking in persons and exploitation of prostitution was also provided as a result of the Act.

24. The Government of Sweden reported that among the girls and women seeking its protection, some might need to be protected from members of their family or from other relatives. The Swedish Migration Board had been commissioned by the Government to draw up guidelines as to how a woman's need for protection could be better highlighted in the asylum process.

25. Trafficking in Kazakhstan had been discussed at an international conference on trafficking organized in 1999 by the National Commission of Kazakhstan in collaboration with the International Organization for Migration. The Government of Kazakhstan was in the process of formulating a draft law, which would incorporate amendments into several acts (including acts on labour, employment and State borders) in order to combat trafficking. The law would give a clear definition of the concept of "trafficking in persons", which currently did not exist in the national legislation.

26. Initiatives taken by the Government of Thailand included the adoption of the National Policy and Plan of Action for the Prevention and Eradication of the Commercial Sexual Exploitation of Children and the Trafficking in Women and Children Act of 1997. The Act of 1997 provided protection to both sexes; allowed officials to inspect and search in various public places; provided increased penalties for traffickers; empowered officials to stop and confine victims for questioning; empowered courts to take depositions from non-victims; and provided temporary shelter and other assistance to victims. Sections of the Penal Code Amendment Act No. 1 of 1997 addressed sexual offences.

27. No specific legislation concerning trafficking existed in Turkey, although the Turkish Penal Code addressed prostitution and white slave traffic (Article 8, Law No. 5682). The Government was in the process of developing measures to combat trafficking in persons, especially women and girls.

28. By a decree of the Cabinet of Ministers of 25 September 1999, Ukraine had approved the programme for the prevention of trafficking in women and children, the main goal of which was to combat trafficking in persons, particularly women and children; prosecute the persons involved; and protect and rehabilitate victims. In 1999, a coordinating council to combat trafficking in women and children was established under the Commissioner for Human Rights of the Supreme Council and, in 2001, an interdepartmental coordinating council to combat trafficking in persons was established under the Cabinet of Ministers. In 2002, Ukraine's State bodies, in cooperation with public organizations, prepared a draft comprehensive programme for the prevention of trafficking in persons for the period from 2002 to 2005. The programme was before the Cabinet of Ministers for consideration and approval.

29. On 12 April 2002, a new offence of trafficking for prostitution was introduced to the Nationality, Immigration and Asylum Bill of the United Kingdom of Great Britain and Northern Ireland. Under the amendment to the bill, penalties of up to 14 years' imprisonment will be mandated for crimes related to trafficking in persons. The Government had also supported the European Union Framework Decision on combating sexual exploitation of children and child pornography, aimed at harmonizing criminal law and sanctions on the protection, distribution and possession of child pornography and engaging in sexual activities with a child, as well as the involvement of children in prostitution. In March 2000, Project Reflex, a multi-agency taskforce on organized immigration crime led by the National Crime Squad, was established to coordinate the activities of agencies, including the Immigration Service, the National Criminal Intelligence Service, the Security and Intelligence Agencies and the key police forces involved in combating the problem of trafficking. The United Kingdom also contributed to the STOP Programme of the European Union, which provided support to organizations responsible for action against trade in human beings and the sexual exploitation of children. The United Kingdom also provided funds for international anti-slavery programmes to raise awareness of the victims of trafficking and for remedial action in West Africa.

30. Within the framework of the MERCOSUR (Southern Common Market) States agreement to strengthen provisions included in the Inter-American Convention on International Traffic in Minors, Uruguay has enhanced migration controls (specifically on children); disseminated information on missing children; and created a database on minors travelling abroad and modus operandi of those who have committed sexual crimes against minors. A database on trafficking in children is also planned.

III. Measures taken within the United Nations system

31. Since the adoption of General Assembly resolution 55/67, United Nations bodies have continued to address trafficking in women and girls. In general, although the activities of these bodies have focused on the adoption of resolutions and recommendations, there have also been significant efforts by United Nations bodies to translate these into action. At the operational level, the activities of the United Nations have been collaborative and cooperative, involving United Nations partners, other international and regional organizations, and NGOs.

32. At its twenty-sixth special session, the General Assembly, by its resolution S-26/2 of 27 June 2001, adopted the Declaration of Commitment on the Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome (HIV/AIDS). The Declaration called upon Governments to ensure, by 2005, development and accelerated implementation of national strategies for women's empowerment; the promotion and protection of women's full enjoyment of all human rights; and reduction of their vulnerability to HIV/AIDS through the elimination of all forms of discrimination, including trafficking in women and girls. The Assembly also recommended that, by 2005, Governments should develop and implement national policies and strategies to, inter alia, protect orphans and vulnerable children from all forms of abuse, violence, exploitation, discrimination, trafficking and loss of inheritance.

33. At its twenty-seventh special session, the General Assembly adopted a plan of action entitled "a World Fit for Children" (see resolution S-27/2, annex) which, inter alia, emphasized the importance of elimination of trafficking and sexual exploitation of children and the need to take concerted national and international action as a matter of urgency to end the sale of children and their organs, and sexual exploitation and abuse of children, including the use of children for pornography; ensuring the safety, protection, and the security of victims of trafficking and sexual exploitation and provision of assistance and services to facilitate their recovery and social reintegration; necessary action, at all levels, as appropriate, to criminalize and penalize effectively, in conformity with all relevant and applicable international instruments; and monitoring and sharing information regionally and internationally on the cross-border trafficking of children.

34. The Programme of Action[5] adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001, reaffirmed the urgent need to prevent, combat and eliminate all forms of trafficking in persons, in particular women and children, and recognized that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance. States were urged to devise, enforce and strengthen effective measures at all levels to prevent, combat and eliminate all forms of trafficking in women and children, in particular girls, through comprehensive anti-trafficking strategies including legislative measures, prevention campaigns and information exchange. They were encouraged to create mechanisms to combat such practices and allocate adequate resources to ensure law enforcement and the protection of the rights of victims, and to reinforce bilateral, regional and international cooperation, including with non-governmental organizations that assist victims, to combat this trafficking in persons and smuggling of migrants. The Conference also recommended that the General Assembly consider declaring a United Nations year or decade against trafficking in persons, especially in women, youth and children, in order to protect their dignity and human rights. The General Assembly, in its resolution 56/267 of 27 March 2002, called upon States, inter alia, to criminalize all forms of trafficking in persons, in particular women and children, and to condemn and penalize traffickers and intermediaries, while ensuring protection of and assistance to the victims of trafficking with full respect for their human rights.

35. The Commission on Human Rights at its fifty-seventh and fifty-eighth sessions, in 2001 and 2002, adopted resolutions on traffic in women and girls (2001/48 of 24 April 2001, and 2002/51 of 23 April 2002). The Commission also addressed some aspects of trafficking in its resolution 2002/59, on "Protection of migrants and their families", as well as other resolutions.

36. The Subcommission on the Promotion and Protection of Human Rights included a sub-item on smuggling and trafficking in persons and protection of their human rights in the agenda of its fifty-third session in 2001. At its request, a note of the Secretary-

General on smuggling and trafficking in persons and the protection of their human rights, addressed the definitional issues surrounding both migrant smuggling and trafficking as well as the human rights dimensions of these phenomena and provided an overview of international and regional initiatives on trafficking and migrant smuggling and identified priority areas for action (E/CN.4/Sub.2/2001/26). In its resolution 2001/14 of 15 August 2001, the Subcommission called on States to place action against trafficking within a human rights framework, so that victims are fully protected and not treated as illegal immigrants. The Subcommission also addressed the issue of trafficking in persons through the activities of the Working Group on Contemporary Forms of Slavery, which devoted its twenty-sixth session, in June 2001, to the issue.

37. At its tenth session in 2002, the Commission on Crime Prevention and Criminal Justice discussed the issue of trafficking in persons and expressed support for the global programmes against trafficking in human beings, corruption and transnational organized crime. It also noted the technical assistance provided under the global programme against trafficking in human beings.

38. The six United Nations human rights treaty bodies, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination and the Committee against Torture, continued to address the issue of trafficking during the consideration of reports of the States parties, concluding observations/comments, general comments/recommendations and other work. The Committee on the Elimination of Discrimination against Women raised the issues of trafficking, sexual exploitation of women and girls and prostitution in its concluding comments on: Burundi, Finland, Kazakhstan, the Maldives, Mongolia, Nicaragua, Singapore, Sweden, the Netherlands and Viet Nam, in 2001,[6] and on Fiji, Estonia, Trinidad and Tobago, Portugal and the Russian Federation in 2002.[7] The Committee on the Rights of the Child addressed these issues in concluding observations adopted on: Côte d'Ivoire,[8] Cameroon,[9] Cape Verde,[10] the Democratic Republic of Congo,[11] Guatemala,[12] Paraguay,[13] Sierra Leone[14] and the United Republic of Tanzania.[15] In its concluding observations on the report of India, the Committee on the Rights of the Child welcomed the Indian Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children.[16] The Committee on Economic, Social and Cultural Rights addressed trafficking issues in its concluding observations on Nepal,[17] Venezuela,[18] Germany,[19] Bolivia[20] and Ukraine.[21] The Human Rights Committee also included the subject in its concluding observations on the Czech Republic,[22] Venezuela,[23] Croatia,[24] the Democratic People's Republic of Korea[25] and the Dominican Republic.[26] The Committee against Torture also addressed the issue in its concluding observations on the reports of Greece,[27] and Georgia,[27] as did the Committee on the Elimination of Racial Discrimination in its concluding observations on the reports of Portugal,[28] Italy,[29] Bangladesh[30] and China.[31]

39. A number of special rapporteurs of the Commission on Human Rights also continued to address the issue of trafficking in persons, especially women, children and migrants. The Special Rapporteur on violence against women, its causes and consequences, in her report on the integration of the human rights of women and the gender perspective,[32] submitted to the Commission at its fifty-seventh session, examined the situation of trafficking in women in times of conflict, both within and outside conflict zones. The Special Rapporteur also reported on missions carried out in Nepal, Bangladesh and India, in which she urged Governments in the Asian region to bring the proposed South Asian Association for Regional Cooperation (SAARC) convention on trafficking into conformity with accepted international standards.[33]

40. The 2001 report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography on the question of trafficking in children[34] focused on the growing phenomena of trafficking in women and girls in the Russian Federation and reflected the findings regarding the situation of the sale of children; child prostitution; child pornography, particularly in the context of sexual exploitation; and the growing problem of the sale and trafficking of women. The Special Rapporteur of the Commission on Human Rights on the human rights of migrants, in her report to the fifty-seventh session of the Commission (E/CN.4/2001/83), recommended effective measures to promote human rights of migrants and measures to prevent violation of human rights. These issues were also addressed in her 2001 report on her mission to

Canada (E/CN.4/2001/83/Add.1). She also submitted a report entitled "Discrimination against migrants — migrant women: in search of remedies"[35] to the Preparatory Committee of the World Conference against Racial Discrimination, Xenophobia and Related Intolerance. In her report on specific groups and individuals, submitted to the fifty-eighth session of the Commission (E/CN.4/2002/94), the Special Rapporteur emphasized the situation of migrant women and unaccompanied minors who are being trafficked and smuggled to other countries and highlighted the need to combat the corruption that goes hand in hand with trafficking and draft national legislation that does penalize illegal activities of this sort, which exposes migrants to the worst forms of abuse. In her report submitted to the Commission on Human Rights at its fifty-eighth session (E/CN.4/2002/80), the Special Rapporteur on violence against women described the problem of trafficking and its connected web of human rights violations and suggested that the issue of trafficking should be a priority on the international human rights agenda. In her report to the fifty-eighth session of the Commission (E/CN.4/2002/88), the Special Rapporteur on the sale of children, child prostitution and child pornography, outlined a procedure, that is to be adopted to investigate information received, in particular with respect to individual complaints alleging instances of the sale of children and the involvement of children in prostitution or pornography. The Special Rapporteur on the human rights of migrants continues to address both the trafficking of persons and the smuggling of migrants.

IV. Activities of entities within the United Nations system

41. The United Nations Department of Peacekeeping Operations has implemented several initiatives to combat trafficking in women and girls, in particular those from Central Asia, Eastern Europe and the Balkans. Measures include the adoption by the United Nations Interim Administration Mission in Kosovo (UNMIK) of regulation 2001/04 on the prohibition of trafficking in persons in Kosovo, in January 2001, which makes human trafficking a criminal offence, punishable by a prison sentence from two or 20 years, and provides for better protection and assistance to the victims of trafficking. A Victims Advocacy and Assistance Unit was also established in the Department of Justice in Kosovo in 2002 in order to enhance and coordinate comprehensive advocacy mechanisms; give assistance to victims of crime; implement regulation 2001/04; and create specific legislation for the prosecution and punishment of perpetrators of the crime of trafficking in persons and related criminal acts. In October 2000, UNMIK police established five regional units of four investigators each to work under the umbrella of the regional investigation units and report through these units to headquarters. A standard operation procedure was in place in all five regional units to gather information and identify trafficked women.

42. The Centre for International Crime Prevention of the United Nations Office for Drug Control and Crime Prevention carried out technical assistance projects in Brazil, the Czech Republic, Poland and the Philippines on the trafficking situation, law reform, investigation and prosecution and provided training to law enforcement officials. In addition, the Centre is establishing a database on global trends, cross-national routes, volume of trafficking in persons and smuggling of immigrants, victims and offenders of trafficking and responses by the criminal justice system to such criminal activity.

43. The Centre for International Crime Prevention, in cooperation with the United Nations Interregional Crime and Justice Research Institute, continued its technical assistance activities under its global programme against trafficking in human beings. The programme focuses on the criminal justice component of trafficking, crime prevention and programming to promote a comprehensive and multidisciplinary approach towards the prevention and combating of trafficking in humans. In 2001, the Centre for International Crime Prevention assisted in the formulation of a political declaration and an action plan against trafficking in humans for the member States of the Economic Community of West African States (ECOWAS).

44. Activities of the Office of the United Nations High Commissioner for Human Rights (OHCHR) were described in the report of the Secretary-General on traffic in women and girls submitted to the fifty-eighth session of the Commission on Human Rights (E/CN.4/2002/80, paras. 12-17). In 1999, the Office established a human rights anti-trafficking programme within its technical cooperation programme. The programme has been developing principles and

guidelines on human rights and human trafficking and aims to convene an international conference on best practices in implementing a human rights approach to trafficking in 2003. A number of OHCHR field offices, including those in Bosnia and Herzegovina and Cambodia, have undertaken anti-trafficking activities, including developing and implementing a wide range of actions aimed at preventing trafficking and protecting the rights of victims.

45. The Economic and Social Commission for Asia and the Pacific (ESCAP), in collaboration with the International Organization for Migration (IOM), organized seminars in different countries of the Asia Pacific region to discuss various aspects of national and bilateral memoranda of understanding on trafficking in women and girls in the region. It also facilitated the signing of the Anti-Trafficking Ministerial Declaration between the States of the ESCAP region and the States of South-Eastern Europe, which emphasized the need for the implementation of effective programmes for prevention; victim's assistance and protection; legislative reform; and law enforcement and the prosecution of traffickers.

46. The Regional Seminar on Using Legal Instruments to Combat Trafficking in Women and Children was organized by ESCAP in collaboration with IOM at the United Nations Conference Centre in Bangkok, from 1-3 August 2001.[36] The seminar discussed and made recommendations on the international definition of trafficking, a framework for agreement and cooperation and a mandate for States.

47. Through its country offices, the United Nations Development Programme (UNDP) worked on anti-trafficking interventions in Albania, Burundi, Cambodia, Georgia, India, Nepal, the Republic of Moldova, Rwanda, Togo, Turkey and Venezuela. UNDP has also implemented a comprehensive programme for the Mekong subregion, directed at reducing the trafficking of women and children through improving national and regional coordination The project also seeks to support community-based initiatives to prevent trafficking and to offer direct socio-economic alternatives for women and children victims of trafficking and others most at risk of trafficking. UNDP has also increased national capacity and subregional cooperation to strengthen and reform legislation, policies and enforcement of laws to respond to trafficking.

48. The United Nations Development Fund for Women (UNIFEM) has focused its activities on advocacy to ensure that Governments recognize trafficking in women as an issue of high national and regional priority. With the support of USAID, UNIFEM has sought to build civil society capacity and encouraged cooperation between countries in the South Asian region. In India, where UNIFEM has worked to ensure that the issue of trafficking is recognized, trafficking has been included in the agenda of the Central Bureau of Investigation, while the Government of Bangladesh has agreed to set up a cross-ministerial anti-trafficking cell to coordinate action in prevention, prosecution and protection.

49. The Joint United Nations Programme on HIV/AIDS (UNAIDS) supported activities to address trafficking of women and girls as well as efforts to combat trafficking in human beings, particularly women and girls. At the national level, activities have included a workshop to analyse the situation of sex workers in West and Central Africa, particularly in Abidjan.

50. The International Labour Organization (ILO) continued its work on trafficking in the context of bonded labour, child labour and migrant workers, including through monitoring of the implementation of Convention No. 182 on the prohibition and immediate action for the elimination of the worst forms of child labour. Trafficking in women and children had been incorporated into the ILO International Programme on the Elimination of Child Labour (IPEC); and a wide range of anti-trafficking initiatives were launched under ILO/IPEC at the international and regional levels. In following-up the implementation of Convention No. 29 of 1930, on forced labour, ILO has also invited States parties to the Convention to report on the issue of trafficking and forced labour.

51. The World Health Organization (WHO) is currently drafting recommendations for action to address the health implications for trafficked women and girls. In an attempt to increase public awareness, in July 2001, the Pan American Health Organization (PAHO), in collaboration with the Inter-American Commission of Women of the Organization of American States (OAS), produced a fact sheet on trafficking of women and children as victims of sexual exploitation.

V. Activities of other international bodies

52. The International Organization for Migration continued to address trafficking and migration issues through, inter alia, information campaigns, counselling activities, technical cooperation and training for Government institutions, protection and assistance to victims of trafficking, return and reintegration assistance, research studies and policy papers. IOM has established anti-trafficking focal points in each of its regional offices and implements more than 60 anti-trafficking projects in different regions. IOM has carried out research on trafficking in Africa, particularly in West Africa, and has also expanded its anti-trafficking activities in Central, Eastern and Western Europe in response to an extreme increase of trafficking in women and girls in those regions.

53. On 19 May 2000, the Committee of Ministers of the Council of Europe adopted recommendation No. R (2000) 11 on action against trafficking in human beings for the purpose of sexual exploitation. The Commission of the European Union has put forward proposals for a legal instrument concerning trafficking in persons and the sexual exploitation of children, with a view to ensuring that those who deal in human beings will be prosecuted in the same way in all European countries. To achieve these goals, the instrument provided common definitions and common sanctions for criminal offences of trafficking in human beings.

54. The Advisory Committee on Equal Opportunities for Men and Women of the Council of Europe recommended that Member States of the European Union include in their national legislation: a specific offence for enslaving and trafficking in human beings, as well as appropriate penalties; recognition of victims of trafficking as victims in their own right; and the implementation of social, administrative and legal assistance and protection policies. The Committee also raised the issue of humanitarian residence permits for illegal immigrants who are victims of domestic slavery.

55. The Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE) has supported projects on anti-trafficking projects, including the funding for an international seminar. OSCE provided assistance to Governments and NGOs on the issue of trafficking in Kosovo. In Albania and Bosnia and Herzegovina, OSCE field officers have begun reporting trafficking cases and have started to coordinate their efforts with other international organizations.

56. SAARC has continued to develop a convention to address the problem of trafficking in women and children. The Inter-American Commission of Women has been working with the Women, Health and Development Programme of the PAHO on a related project to underline the context of trafficking of women and children for sexual exploitation in the United States of America. A concept paper and fact sheet have been developed as a part of an attempt to raise awareness about trafficking and its consequences regarding the spread of HIV/AIDS.

VI. Conclusion

57. **Despite the actions taken at the national, regional and international levels on the issue of trafficking in persons, particularly in women and girls, and on sexual exploitation of women and girls, there is still much to be done by Governments, intergovernmental and non-governmental organizations, civil society and academic institutions. Action should include the demonstration of political will and commitment on the part of Governments to combat trafficking in human beings, particularly in women and girls. A comprehensive and multidisciplinary approach towards prevention is required. All actors, including judicial and law enforcement personnel, migration authorities, NGOs and civil society, should collaborate in the development of such an approach. Preventive measures, particularly legal provisions, as well as measures to ensure adequate protection of support and assistance to the victims of trafficking, are necessary. Measures to discourage traffickers should be introduced and victims of trafficking should be protected and assisted, including through the provision of legal and physical assistance, as well as health care. Programmes and policies aimed at assisting the victims of traffickers should include training for police officers, government officials and customs and border police.**

58. **International, regional, subregional and bilateral agreements should be elaborated so as to ensure and facilitate the prosecution of offenders, irrespective of nationality and location. States should consider the introduction of legislation**

incorporating extraterritorial provisions to facilitate the prosecution of traffickers who may operate from abroad. Proposed reforms of legislation and formulation of policies and programmes should take into account the issue of trafficking, sexual exploitation and slave-like practices. Guidelines on trafficking for different sectors should be developed and implemented.

Notes

[1] Austria, Belarus, Canada, Denmark, Egypt, Greece, Iceland, Jordan, Kazakhstan, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Netherlands, the Philippines, Portugal, Singapore, Spain, Sweden, Thailand, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay.

[2] The Office of the United Nations Commissioner on Human Rights, Economic Commission for Africa, International Labour Organization, World Health Organization, Joint United Nations Programme on HIV/AIDS, United Nations Development Programme, United Nations Development Fund for Women, United Nations Department of Peacekeeping Operations and United Nations Office for Drug Control and Crime Prevention.

[3] The International Organization for Migration, Council of Europe, Organization for Security and Cooperation in Europe, Office of Democratic Institutions and Human Rights and South Asian Association for Regional Cooperation.

[4] See: CHR/OP/SA/1 of 4 April 2002.

[5] A/CONF.189/12.

[6] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38).

[7] See A/57/38 (Part I).

[8] CRC/C/15/Add.155.

[9] CRC/C/15/Add.164.

[10] CRC/C/15/Add.168.

[11] CRC/C/15/Add.153.

[12] CRC/C/15/Add.154.

[13] CRC/C/15/Add.166.

[14] E/CN.4/Sub.2/2002/20.

[15] CRC/C/15/Add.156.

[16] E/CN.4/Sub.2/2002/20.

[17] E/CN.12/1/Add.66.

[18] E/CN.12/1/Add.56.

[19] E/CN.12/1/Add.68.

[20] E/CN.12/1/Add.60.

[21] E/CN.12/1/Add.65.

[22] CCPR/CO/72/CZE.

[23] CCPR/CO/71/VEN.

[24] CCPR/CO/71/HRV.

[25] CCPR/CO/72/PRK.

[26] CCPR/CO/71/DOM.

[27] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44* (A/56/44), paras. 83-88.

[28] CERD/C/304/Add.117.

[29] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 18* (A/56/18), paras. 298-320.

[30] CERD/304/Add.118.

[31] *Official Records of the General Assemoly, Fifty-sixth Session, Supplement No. 18* (A/56/18), paras. 231-255.

[32] See E/CN.4/2001/73.

[33] See E/CN.4/2001/73/Add.2.

[34] E/CN.4/2001/78 and Add.1 and 2.

[35] A/CONF.189/PC.1/19.

[36] ESCAP, Regional Seminar on Using Legal Instruments to Combat Trafficking in Women and Children, 1-3 August 2001, Bangkok.